

DU963PA.TDE
CAE30/WP5.1
DEB/CAE/ach
February 17, 1998

MRD
2/23/98

PATENT APPLICATION
DOCKET NO.: DUK96-03pA

#12
3/1/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jonathan S. Stamler

Application No.: 08/616,371 Group Art Unit: 1811

Filed: March 15, 1996 Examiner: B. Celsa

Title: METHODS FOR PRODUCING AND USING S-NITROSOHEMOGLOBINS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

on 2/17/98 Denise Carredo

Date

Signature

Denise Carredo

Typed or printed name of person signing certificate

TRANSMITTAL OF SUBSTITUTE DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed herewith is a Substitute Declaration for filing in the above-referenced application. This Declaration differs from the original one in that on page 1 the Docket No. has been changed to DUK96-03pA per a Request for Change of Docket Number filed November 12, 1996, and the Applicant is claiming priority to U.S. Provisional Application 60/003,801. On page 2 of the Substitute Declaration, the area code in the telephone number given for David E. Brook, Esq. has been changed to 781, and the inventor's address has been changed to 101 Juniper Place.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Carol A. Egner
Carol A. Egner
Attorney for Applicants
Registration No.: 38,866
Telephone: (781) 861-6240
Facsimile: (781) 861-9540

Lexington, Massachusetts 02173

Dated: February 17, 1998

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Substitute Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHODS FOR PRODUCING AND USING S-NITROSOHEMOGLOBINS

the specification of which (check one)

is attached hereto.

was filed on March 15, 1996 as United States Application

Number or PCT International Application Serial No. 08/616,371

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority
Not
Claimed

(Number)	(Country)	(Day/Month/Year filed)
----------	-----------	------------------------

[]

(Number)	(Country)	(Day/Month/Year filed)
----------	-----------	------------------------

[]

(Number)	(Country)	(Day/Month/Year filed)
----------	-----------	------------------------

[]

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

60/003,801 (Application Number)	September 15, 1995 (Filing Date)
------------------------------------	-------------------------------------

(Application Number)	(Filing Date)
----------------------	---------------

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States

application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing date) (Status, patented, pending, abandoned)

(Application Serial No.) (Filing date) (Status, patented, pending, abandoned)

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

I also hereby grant additional Powers of Attorney to the following attorney(s) and/or agent(s) to file and prosecute an international application under the Patent Cooperation Treaty based upon the above-identified application, including a power to meet all designated office requirements for designated states:

David E. Brook	Reg. No. 22,592	Thomas O. Hoover	Reg. No. 32,470
James M. Smith	Reg. No. 28,043	Alice O. Carroll	Reg. No. 33,542
Leo R. Reynolds	Reg. No. 20,884	N. Scott Pierce	Reg. No. 34,900
Patricia Granahan	Reg. No. 32,227	Richard A. Wise	Reg. No. 18,041
Mary Lou Wakimura	Reg. No. 31,804	Carol A. Egner	Reg. No. 38,866

all of Hamilton, Brook, Smith and Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02173;

and _____

Send correspondence to: David E. Brook, Esq.

Hamilton, Brook, Smith & Reynolds, P.C.
Lexington, Massachusetts 02173

Direct telephone calls to: David E. Brook, Esq.

(781) 861-6240

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Jonathan S. Stamler

Inventor's

Signature John S. Stamler

Date 1/18/58

Residence 101 Juniper Place

Chapel Hill, North Carolina 27514

Citizenship U.S.A.

Post Office Address Same as above